

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/12/2022
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VICTORIANO TAVAREZ, Individually, and On  
Behalf of All Others Similarly Situated,

Plaintiff,

-against-

RB HEALTH (US) LLC,

Defendant.

1:22-cv-259-MKV

ORDER

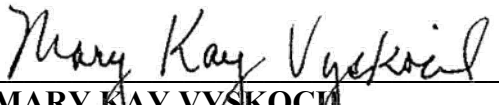
MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on January 1, 2022. [ECF No. 1]. An affidavit of service of summons and complaint was filed on the docket on March 9, 2022. [ECF No. 5]. According to that summons, Defendant's response to the complaint was due March 11, 2022. [ECF Nos. 5]. No response was filed, and Plaintiff has not prosecuted this case to date.

Accordingly, IT IS HEREBY ORDERED that any motion for entry of a default judgment shall be filed by May 12, 2022. Plaintiff is directed to follow the procedures applicable to default judgments under the Court's Individual Rules and Practices for Civil Cases, available at the Court's website. Failure to move for a default judgment by May 12, 2022 may result in dismissal of this action for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001).

**SO ORDERED.**

**Date: April 12, 2022**  
**New York, NY**

  
MARY KAY VYSKOCIL  
United States District Judge